



STATE OF UTAH  
NATURAL RESOURCES  
Oil, Gas & Mining

Norman H. Bangerter, Governor  
Dee C. Hansen, Executive Director  
Dianne R. Nielson, Ph.D., Division Director

355 W. North Temple • 3 Triad Center • Suite 350 • Salt Lake City, UT 84180-1203 • 801-538-5340

December 1, 1986

CERTIFIED RETURN RECEIPT REQUESTED  
P 402 459 418

Ms. Deborah M. Kulka  
Land Representative  
Cotter Corporation  
12596 W. Bayaud Avenue  
Suite 350  
Lakewood, Colorado 80228

Dear Ms. Kulka:

Re: Bond Release, Thornburg Memorial Mine, ACT/019/006, Grand  
County, Utah

Please find enclosed, the original surety agreement with  
the Division under Aetna Casualty and Surety company in the  
amount of \$17,961.00.

Transfer of the Thornburg Memorial Mine to Western States  
Resources is now complete and Cotter Corporation is hereby  
release of all reclamation liability for permit ACT/019/006.

Thank you for your past cooperation with the Division in  
compliance with the Mined Land Reclamation Act. Should you  
have any further questions or business regarding mining in the  
State of Utah, please feel free to call or write.

Sincerely,

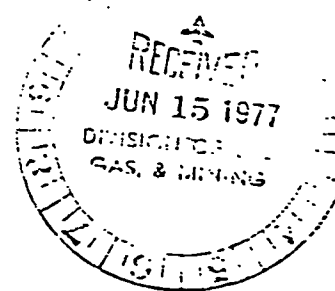
L. P. Braxton  
Administrator  
Mineral Resource Development  
and Reclamation Program

JRH:jvb  
Enclosure  
cc: K. May  
S. Linner  
1011R-104

EXHIBIT "A"

MINING APPLICATION  
NO. ACT 1019/006  
Date                     

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1588 West North Temple  
Salt Lake City, Utah 84116



NOTICE OF INTENTION TO COMMENCE MINING OPERATIONS  
(Sec Rule M of General Rules and Regulations)

1. Name of Applicant or Company Cotter Corporation  
Corporation (X) Partnership ( ) Individual ( )
2. Address P. O. Box 352 - Golden, Colorado 80401  
Permanent Temporary
3. Name and title of person representing company Timothy C. Smith, Environmental Engineer
4. Address P. O. Box 352 - Golden, Co. 80401 Office Phone (303) 232-8218
5. Location of Operation Grand Sec. 27-28 T. 24S R. 20E  
County
6. Name of Mine Thornburg Memorial Mine (TMM)
7. Mineral to be mined: Mining method:  
( ) Coal ( ) Flagstone Underground  
( ) Copper ( ) Gravel  
( ) Manganese ( ) Shale  
( ) Iron Ore (X) Uranium  
( ) Phosphate ( ) Gilsonite  
( ) Potash ( ) Bituminous Sandstone  
( ) Fluorspar ( ) Tungsten  
( ) Other (specify) \_\_\_\_\_
8. Have you or any person, partnership or corporation associated with you received an approved Notice of Intention to Commence Mining Operations by the State of Utah for operations other than described herein?  
( ) Yes (X) No  
If yes, list all approval numbers now under surety:  
N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Owner/Owners of record of the surface area within the land to be affected:  
U.S. Bureau of Land Management, Address Federal Building, Salt Lake City,  
Utah Land Office Utah 84111  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3  
Owner/Owners of record of minerals to be mined:

|                                       |                                   |
|---------------------------------------|-----------------------------------|
| <u>U.S. Bureau of Land Management</u> | Address <u>Federal Building</u>   |
| <u>Utah Land Office</u>               | <u>Salt Lake City, Utah 84111</u> |
| _____                                 | Address _____                     |
| _____                                 | Address _____                     |
| _____                                 | Address _____                     |

11. Owner/Owners of record of all other minerals within any part of the land -- affected:

|                                       |                                   |
|---------------------------------------|-----------------------------------|
| <u>U.S. Bureau of Land Management</u> | Address <u>Federal Building</u>   |
| <u>Utah Land Office</u>               | <u>Salt Lake City, Utah-84111</u> |
| _____                                 | Address _____                     |
| _____                                 | Address _____                     |

- 11a. Have the above owners been notified in writing?

( ) Yes (X) No

12. Source of Operator's legal right to enter and conduct operations on land to be covered by the Notice Mining claims

13. Approximate acreage to be disturbed:

|                                                |             |       |
|------------------------------------------------|-------------|-------|
| A) Mining Operation Area -                     | <u>17</u>   | acres |
| (include operations, storage, & disposal area) |             |       |
| B) Access Road or Haulageway -                 | <u>1</u>    | acres |
| C) Drainage System -                           | <u>None</u> | acres |

TOTAL ACRES:

18

14. Give the names and post office addresses of every principal Executive, Officer, Partner, (or person performing a similar function) of Applicant:

| Name:                           | Title:                | Address:                                 |
|---------------------------------|-----------------------|------------------------------------------|
| a. <u>Mr. George P. Rifakes</u> | <u>President</u>      | <u>c/o Commonwealth Edison Co.</u>       |
|                                 |                       | <u>P.O. Box 767 - Chicago, Il. 60690</u> |
| b. <u>Mr. David P. Marcott</u>  | <u>Exec. V. P.</u>    | <u>P.O. Box 352 - Golden, Co. 80401</u>  |
| c. <u>Mr. D. A. Dughman</u>     | <u>V.P. - Finance</u> | <u>P.O. Box 352 - Golden, Co. 80401</u>  |
| d. _____                        |                       |                                          |

15. Has Applicant, any subsidiary or affiliate or any person, partnership, association, trust, or corporation controlled by or under common control with Applicant, or any person required to be identified by Item 14, ever had an approval of a Notice of Intention withdrawn or has surety relating thereto ever been forfeited?

( ) Yes

(X) No

If yes, explain:

N/A

STATE OF Colorado  
 COUNTY OF Jefferson

I, David P. Marcott, having been duly sworn  
 depose and attest that all of the representations contained in the foregoing  
 application are true to the best of my knowledge; that I am authorized to  
 complete and file this application on behalf of the Applicant and this  
 application has been executed as required by law.

Signed: David P. Marcott  
 Executive Vice President

Taken, subscribed and sworn to before me the undersigned authority  
 in my said county, this 13<sup>th</sup> day of June, 19 77.

Notary Public: John L. Bowman

My Commission Expires: July 14, 1979

PLEASE NOTE:

Section 40-8-13(2) of the Mined Land Reclamation Act provides as  
 follows:

"Information relating to the location, size, or nature  
 of the deposit and marked confidential by the operator,  
 shall be protected as confidential information by the  
 Board and the Division and not be a matter of public  
 record in the absence of a written release from the  
 operator, or until the mining operation has been  
 terminated as provided in subsection (2) of section  
 40-8-21."

Is confidential information contained herein?

YES \_\_\_\_\_ (Initial)

NO Yes \_\_\_\_\_ (Initial)

Sections desired to be maintained as confidential information -

|   |       |       |       |
|---|-------|-------|-------|
| 1 | _____ | _____ | _____ |
| 2 | _____ | _____ | _____ |
| 3 | _____ | _____ | _____ |
| 4 | _____ | _____ | _____ |
| 5 | _____ | _____ | _____ |

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES AND ENERGY  
DIVISION OF OIL, GAS AND MINING  
4241 State Office Building  
Salt Lake City, Utah 84114

THE MINED LANDS RECLAMATION ACT

BOND  
\*\*\*\*\*

KNOW ALL MEN BY THESE PRESENCE, that the undersigned COTTER  
CORPORATION as principal, and AETNA CASUALTY AND SURETY COMPANY  
as surety, are held and firmly bound unto the State of Utah, Division of Oil,  
Gas and Mining, in the penal sum of Seventeen Thousand Nine Hundred <sup>Sixty-One</sup> dollars  
(\$ 17,961.00 ) for the payment of which sum, will and truly be made, we  
hereby jointly and severally bind ourselves, our heirs, administrators,  
executors, successors and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH that whereas the above named  
principal did on the 13th day of June, 1977, file with the Division of  
Oil, Gas and Mining a "Notice of Intention to Commence Mining Operations and  
Mining and Reclamation Plan," to secure authorization to engage in mining  
operations in the State of Utah, under the terms and provisions of the Mined  
Land Reclamation Act; that in said Notice the principal estimated that 18  
acres of land will be affected by mining. Said land is described as follows  
in Exhibit "A" attached hereto.

NOW, if the said principal shall satisfactorily reclaim the above-mentioned  
lands affected by mining by said principal in accordance with the Mining and  
Reclamation Plan and shall faithfully perform all requirements of the Mined  
Land Reclamation Act, and comply with the Rules and Regulations adopted in  
accordance therewith, then this obligation shall be void; otherwise it shall  
remain in full force and effect until the reclamation is completed as outlined  
in the approved Mining and Reclamation Plan.

If the said approved plan provides for reclamation of the land affected on  
a piecemeal or cyclic basis, and said land is reclaimed in accordance with  
such plan, then this bond may be reduced periodically.

In the converse, if the said plan provides for a gradual increase in the  
area of the land affected or increased reclamation work, then this bond may  
accordingly be increased with the written approval of the surety company.

NOTE: Where one signs by virtue of Power of Attorney for a surety  
company, such Power of Attorney must be filed with this bond. If the  
principal is a corporation, the bond shall be executed by its duly authorized  
officers with the seal of the corporation affixed.

Date: January 3, 1983

COTTER CORPORATION  
Principal (Company)  
By: [Signature] Exec Vice President  
Company Officer - Position

Date: January 3, 1983

THE AETNA CASUALTY AND SURETY COMPANY  
Surety (Company)  
By: [Signature]  
Official of Surety - Position

COUNTERSIGNED Evan G. Pearson  
Utah RESIDENT AGENT

DAVID C. BANKS ATTORNEY IN FACT



THE AETNA CASUALTY AND SURETY COMPANY  
Hartford, Connecticut 06115

## POWER OF ATTORNEY AND CERTIFICATE OF AUTHORITY OF ATTORNEY(S)-IN-FACT

KNOW ALL MEN BY THESE PRESENTS, THAT THE AETNA CASUALTY AND SURETY COMPANY, a corporation duly organized under the laws of the State of Connecticut, and having its principal office in the City of Hartford, County of Hartford, State of Connecticut, hath made, constituted and appointed, and does by these presents make, constitute and appoint Vincent T. Reagen, Alfred R. Fosse, Thomas A. Pictor, James L. Sulkowski, David C. Banks, Janice B. Kaplan, V. Anderson, Jeffrey A. Thompson, Kevin P. Nagel, L. Pozezinski or Peggy Norris - -

of Chicago, Illinois, its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred to sign, execute and acknowledge, at any place within the United States, or, if the following line be filled in, within the area there designated, the following instrument(s):  
by his/her sole signature and act, any and all bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any and all consents incidents thereto

and to bind THE AETNA CASUALTY AND SURETY COMPANY, thereby as fully and to the same extent as if the same were signed by the duly authorized officers of THE AETNA CASUALTY AND SURETY COMPANY, and all the acts of said Attorney(s)-in-Fact, pursuant to the authority herein given, are hereby ratified and confirmed.

This appointment is made under and by authority of the following Standing Resolutions of said Company which Resolutions are now in full force and effect:

VOTED: That each of the following officers: Chairman, Vice Chairman, President, Any Executive Vice President, Any Senior Vice President, Any Vice President, Any Assistant Vice President, Any Secretary, Any Assistant Secretary, may from time to time appoint Resident Vice Presidents, Resident Assistant Secretaries, Attorneys-in-Fact, and Agents to act for and on behalf of the Company and may give any such appointee such authority as his certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors may at any time remove any such appointee and revoke the power and authority given him.

VOTED: That any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the Chairman, the Vice Chairman, the President, an Executive Vice President, a Senior Vice President, a Vice President, an Assistant Vice President or by a Resident Vice President, pursuant to the power prescribed in the certificate of authority of such Resident Vice President, and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary or by a Resident Assistant Secretary, pursuant to the power prescribed in the certificate of authority of such Resident Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact pursuant to the power prescribed in his or their certificate or certificates of authority.

This Power of Attorney and Certificate of Authority is signed and sealed by facsimile under and by authority of the following Standing Resolution voted by the Board of Directors of THE AETNA CASUALTY AND SURETY COMPANY which Resolution is now in full force and effect:

VOTED: That the signature of each of the following officers: Chairman, Vice Chairman, President, Any Executive Vice President, Any Senior Vice President, Any Vice President, Any Assistant Vice President, Any Secretary, Any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, THE AETNA CASUALTY AND SURETY COMPANY has caused this instrument to be signed by its Assistant Vice President, and its corporate seal to be hereto affixed this 27th day of July, 19 82



THE AETNA CASUALTY AND SURETY COMPANY

By R. T. Rippe  
Assistant Vice President

State of Connecticut }  
County of Hartford } ss. Hartford

On this 27th day of July, 19 82, before me personally came R. T. RIPPE, to me known, who, being by me duly sworn, did depose and say: that he/she is Assistant Vice President of THE AETNA CASUALTY AND SURETY COMPANY, the corporation described in and which executed the above instrument; that he/she knows the seal of said corporation; that the seal affixed to the said instrument is such corporate seal; and that he/she executed the said instrument on behalf of the corporation by authority of his/her office under the Standing Resolutions thereof.



Johanna M. Deegan  
My commission expires March 31, 19 84 Notary Public

### CERTIFICATE

I, the undersigned, Secretary of THE AETNA CASUALTY AND SURETY COMPANY, a stock corporation of the State of Connecticut, DO HEREBY CERTIFY that the foregoing and attached Power of Attorney and Certificate of Authority remains in full force and has not been revoked; and furthermore, that the Standing Resolutions of the Board of Directors, as set forth in the Certificate of Authority, are now in force.

Signed and Sealed at the Home Office of the Company, in the City of Hartford, State of Connecticut. Dated this 3rd day of January, 19 83



By James G. Adell  
Secretary

STATE OF ILLINOIS  
COUNTY OF DU PAGE } ss.

I, KATHY SIMPSON

a Notary Public in and for said County and State, do hereby certify that  
\_\_\_\_\_ Resident Vice President, and  
\_\_\_\_\_ Resident Assistant Secretary,

DAVID C. BANKS

Attorney-in-Fact,

of THE AETNA CASUALTY AND SURETY COMPANY, who is personally  
known to me to be the same person whose name is subscribed to the  
foregoing instrument, appeared before me this day in person, and acknowledged  
that he signed, sealed and delivered said instrument, for and on  
behalf of THE AETNA CASUALTY AND SURETY COMPANY, for the uses  
and purposes therein set forth.

Given under my hand and notarial seal, this 3rd day of January,  
1983.

My commission expires  
August, 19, 1984.

PRINTED IN U.S.A.

Notary Public  
CAT. 227102  
PRINTED IN U.S.A.